



**MCDOWELL SONORAN PRESERVE COMMISSION  
7506 E. INDIAN SCHOOL ROAD  
COMMUNITY DESIGN STUDIO - NAVE  
SCOTTSDALE, ARIZONA 85251  
THURSDAY, JUNE 7, 2007**

**MEETING MINUTES**

**PRESENT:**

Art DeCabooter, Chair  
Erik Filsinger, Vice-Chair  
Virginia Korte, Commissioner  
Melinda Gulick, Commissioner (arrived at 5:13 p.m.)  
Rand Hubbell, Commissioner  
Gerry Miller, Commissioner  
Arnold Roy, Commissioner  
Tom Silverman, Commissioner  
Linda Whitehead, Commissioner  
Solange Whitehead, Commissioner

**ABSENT:**

Joan Fudala, Commissioner

**STAFF PRESENT:**

Bob Cafarella, Director  
Claire Miller, MSP Manager  
Scott Hamilton, Trails Planner

**ALSO PRESENT:**

Carla  
Ruthie Carll, MSC, Managing Director  
Dan Gruber  
Deke Joralman  
Len Marcisz

**1. CALL TO ORDER AND INTRODUCTIONS**

Chairman DeCabooter called the meeting to order at 5:01 p.m.

Roll call and introductions indicated members and guests present as stated above.

2. **Approval of May 3, 2007 Meeting Minutes**

**COMMISSIONER SILVERMAN MOVED TO APPROVE THE MINUTES OF THE MAY 3, 2007 MCDOWELL SONORAN PRESERVE COMMISSION MEETING. COMMISSIONER LINDA WHITEHEAD SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF NINE (9) TO ZERO (0).**

3. **State Land Reform Approach**

Carla reported on the status of the state land reform bill currently being considered by the State Senate. If one or both parts of HCR 2039 do not move forward during the current session, efforts will be made during the summer to ensure it is put forward next session in time to be included on the ballot for November of 2008. If passed, the measure would provide Scottsdale with the tools necessary to purchase state trust land.

Mr. Cafarella said the Commission might want to consider an option that would be available next year. Growing Smarter grant funds are available to help Scottsdale acquire land in the McDowell Mountains. The State could sell Arizona Preserve Initiative land, but it would have to be done at auction. If this option were taken, Scottsdale would have to do a risk assessment. The land in question would likely not have a lot of value, because it is very mountainous. However, he noted that the Council would probably be reluctant to enter into a process where the City could be outbid by a developer, thus setting up a potential litigation situation.

Carla added that the land would be sold without a conservation deed restriction, though Scottsdale could add it once it was purchased.

Commissioner Linda Whitehead inquired how much money was available through Growing Smarter. Mr. Cafarella said that \$20 million in grant funds are available per year for ten years. The funds are intended to allow governmental agencies to purchase land for conservation purposes.

4. **Sustainability Indicators Report**

Mr. Bill Gill from the Environmental Quality Advisory Board presented copies of the 2007 Sustainability Indicators Report on CDs. EQAB is conducting a ten-year review of the indicators used in the report. Each City board and commission is invited to participate, and indicators used in future reports will be based on the feedback received during the review process.

5. **McDowell Sonoran Conservancy Activities**

Ms. Carll announced four officer changes, including Len Marcisz, an MSC steward, who was named the new Chair. She summarized the recent activities of the Conservancy. This summer, new construction and maintenance crew leaders will be trained in order to expand the Conservancy's ability to complete trail projects. An advocacy committee has been formed, chaired by Melinda Gulick. Planning for McDowell Sonoran month is currently underway. This October's event will be larger than ever before. She invited the Commissioners to volunteer their time to help organize related events.

Ms. Carll said the MSC is reorganizing into a departmental structure, consisting of Operations at the Conservancy, Operations for the Preserve, Education, and Advocacy. The stewardship program will transform from a geographically based structure to a functional one.

6. **DDC Task Force Activities**

Commissioner Silverman said \$38,500 has been raised from the private sector towards the funding of a marketing study for the Desert Discovery Center. The issue is on the City Council consent agenda for June 19<sup>th</sup>.

Mr. Cafarella said the task force would ideally work through the summer to present Council with a potential consultant recommendation at either their first or second meeting following the summer break.

Commissioner Linda Whitehead encouraged Commissioners to attend the June 19 meeting, saying their presence and input would have a positive impact on Council's decision.

7. **Planning Committee Activities**

Vice-Chair Filsinger said a brief meeting was held in May to discuss enforcement activities in the Preserve with Sergeant Jeremy O'Meara of the Scottsdale Police Department. A procedure has been worked out allowing the SPD to enforce illegal activity in the northern portion of the Preserve, particularly regarding the off-trail use of motorized vehicles.

8. **Temporary Parking at the Gateway**

Commissioner Gulick requested an update on temporary parking at the Gateway. Mr. Cafarella reported that a Municipal Use (MU) permit would be needed even for a temporary facility. There would probably not be much time gained by creating it, and planners are concerned about potential conflicts with the construction project. The maximum time saved would be nine months.

Commissioner Gulick said people are using the trail system, and it is imperative that the Preserve provide a place for them to park that does not interfere with neighboring businesses and residences. She noted that nine months represents one full hiking season.

In response to an inquiry from Commissioner Solange Whitehead, Mr. Cafarella said as the word gets out about the trails, people are using them.

In response to an inquiry from Vice-Chair Filsinger, Mr. Cafarella said the Preserve would need to have the permit before any work could start on grading.

Commissioner Linda Whitehead inquired about the timeline differences between the two options. Mr. Cafarella said moving trees in the summer would result in a much lower loss rate than if they were moved in the winter. The temporary parking solution could receive the necessary permits in October. The builders could work around the trees until they are moved in

May. He clarified that there would be no increased expense or environmental degradation by opting for the temporary solution, but the construction sub-contractors might be concerned about issues developing from the public's presence during the construction process.

Commissioner Gulick inquired if the temporary parking facility was, in the opinion of staff, a worthwhile course to pursue. Mr. Cafarella said there are primarily safety concerns and construction issues to consider. He recommended moving ahead with the permanent construction as quickly as possible, while monitoring the private lot in DC Ranch to ensure that the situation there does not get out of control. If necessary, a greater effort could be made to direct people to McDowell Mountain Ranch instead.

Commissioner Gulick said if a temporary facility is not pursued, the Preserve should make a concerted effort to promote the existing parking alternatives. Teaching the public to park in appropriate places is part of the effort to foster good stewardship. She would bring the issue forward again if she felt it were necessary in the future.

9. **Retreat**

**VICE-CHAIR FILSINGER MOVED TO TABLE THE DISCUSSION ON THE RETREAT UNTIL THE NEXT MEETING. COMMISSIONER GULICK SECONDED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF TEN (10) TO ZERO (0).**

10. **Preserve Director's Report**

None.

11. **Preserve Manager's Report**

Ms. Miller said the Scottsdale Police Department conducted a special patrol on Memorial Day weekend. There were few people to contact, however. Officers are checking to see if people, including motorized vehicles, are using State Trust Land in the planned Preserve area without a current Recreation Permit issued by the State Land Department. The situation will be monitored to determine if additional patrols would be needed before the weather cools down. The officers have become more familiar with the permit requirements and are prepared to issue citations for violators without permits.

Commissioner Linda Whitehead surmised that the enforcement of permit rules have forced land abusers to go elsewhere, proving that the policy works.

Vice-Chair Filsinger noted that state land recreation permits are easy to obtain and are valid for an entire year.

Ms. Miller said the Arizona State Land Department is looking into obtaining grant money to pay for off-duty officers to patrol the northern area. Having a primary contact at the Police Department has made the process of responding to issues much easier.

An updated trail and Preserve safety video will begin airing on Channel 11 soon. She presented copies of the new Invasive Weed brochures that the Fire Department will begin distributing soon. The information will also be available on the City website. She also presented the official Search and Rescue books for Commission review. The Police and Fire Departments will have copies. The document features aerial photographs and topographic maps of the Preserve.

In response to an inquiry from Commissioner Miller, Ms. Miller said the Search and Rescue books are intended to be documents for internal use only.

12. **Future Executive Session for McDowell Sonoran Preserve Commission**

**COMMISSIONER SILVERMAN MOVED TO HOLD AN EXECUTIVE SESSION ON JULY 5, 2007, TO DISCUSS AND CONSULT WITH ROBERT CAFARELLA, THE COMMISSION'S DESIGNATED REPRESENTATIVE, TO CONSIDER THE COMMISSION'S POSITION AND INSTRUCT ITS REPRESENTATIVE WITH RESPECT TO THE PURCHASE, SALE OR LEASE FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE OF REAL PROPERTY LOCATED WITHIN THE RECOMMENDED STUDY BOUNDARY FOR THE MCDOWELL SONORAN PRESERVE, INCLUDING BUT NOT LIMITED TO THE STATE TRUST LAND THAT IS RECLASSIFIED AS SUITABLE FOR CONSERVATION UNDER THE ARIZONA PRESERVE INITIATIVE, AND THE STATE TRUST LAND THAT IS NOT RECLASSIFIED AS SUITABLE FOR CONSERVATION UNDER THE ARIZONA PRESERVE INITIATIVE. ARS 38-431.03 (A) (3) and (A) (7). COMMISSIONER ROY SECONDED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF TEN (10) TO ZERO (0).**

13. **Summer Meeting Schedule**

Chair DeCabooter cancelled the August 2 meeting of the MSPC.

14. **Commissioner Comments and Public Comments**

Commissioner Linda Whitehead said there should be a mechanism by which private citizens could contribute to the Preserve effort that provides choices and does not compete with the Conservancy. Such a method does not currently exist.

She also said the Commission needs to be made aware whenever Council proposes to take action on items affecting the Preserve, and the Preservation Division's budgeted funds, in order to provide input.

Carla suggested an agenda item to discuss whether the Commission should make a recommendation on a plan to improve connectivity between the northern and southern portions of the Preserve via 128<sup>th</sup> Street.

15. **Agenda Items for Future Meetings**

Commissioner Solange Whitehead requested an update on the Promotions Committee.

16. **Adjournment**

With no further business to discuss the regular meeting adjourned at 6:00 pm. and the Commission reconvened for an Executive Session.

Respectfully submitted,  
A/V Tronics, Inc.